

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : DULTZ et al.
International Application No. : PCT/EP99/09845
International Filing Date : December 9, 1999
U.S. Serial No. : 09/890,394
For : **SENSOR AND METHOD FOR DETECTING
CHANGES IN DISTANCE**

U.S. Patent and Trademark Office
Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202
Attention: DO/EO/US

**TRANSMITTAL OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371**

S I R :

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed on August 21, 2001). Applicants submit herewith a fully executed Declaration, in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. The application filed in the U.S. Patent and Trademark Office is the application which the inventors executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is enclosed.

The U.S. Patent and Trademark Office is authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration and the 2 month extension fee of \$400.00 to Deposit Account No. 11-0600. The U.S. Patent and Trademark Office is also authorized, as appropriate and/or necessary, to charge any additional fees, including any additional Rule 136(a) extension fees, or credit any excess fees to Deposit Account No. 11-0600 of Kenyon & Kenyon.

Respectfully submitted,
KENYON & KENYON

(By: *Linda N. Study*
LINDA STUDY
Reg. No. 47084)

Date: *December 21, 2001*

Richard L. Mayer
Richard L. Mayer, Reg. No. 22,490

One Broadway
New York, NY 10004
Tel: (212) 425-7200
Fax: (212) 425-5288

CUSTOMER NO. 26646

12/31/2001 UEDUVIJE 00000282 110600 09890394

01 FC:154	130.00 CH
02 FC:116	400.00 CH



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO. 39/4

PUBL 7

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

09/890394

5071

PCT/EP99/09845

INTERNATIONAL APPLICATION NO.

KENYON & KENYON
ONE BROADWAY
NEW YORK NY 10004

I.A. FILING DATE / 09/99 PRIORITY DATE 01/29/99

08/21/01

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application.
- ☐ Oath or Declaration of inventors(s).
- ☐ Copy of Article 19 amendments.
- ☒ Priority Document.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Indication of Small Entity Status.
- ☒ Translation of the international application into English.
- ☐ Translation of Article 19 amendments into English.
- ☐ Other:

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee.
- ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- 6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
- 7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

- Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
- ☐ PTO-875 ☐ PCT/DO/EO/920

Lamont Hunter, Paralegal

Telephone: 703.305-3686

FORM PCT/DO/EO/905 (March 2001)

Express Mail No. EL243098634US